

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1074056

TYPE
CR

DATE OF REPORT (Day-Mo.-Yr.)
02 APR 15

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

| | | | | | |
|--|-------------|------------------|----------------------------|---------------------|---------------|
| FROM - INVESTIGATOR'S NAME Scott Slechter | RANK Sgt | STAR NO. 1462 | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 011 | UNIT DETAILED |
|--|-------------|------------------|----------------------------|---------------------|---------------|

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

RD# HY-167371, [REDACTED]

| | | |
|---|---|--------------------------|
| ADDRESS OF INCIDENT 3151 W. Harrison | DATE OF INCIDENT - TIME 28 FEB 15 1800 | BEAT OF INCIDENT 1134 |
|---|---|--------------------------|

| | | | | | | | | |
|-------------|------------------------------------|---------------|---------------------|------------|---|--------------|---|------------------|
| ACCUSED | NAME | | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED | |
| | 1. ANAYA, Pedro | | PO | 15639 | [REDACTED] | 011 | - | |
| | 2. | | | | | | | |
| | 3. | | | | | | | |
| | SEX/RACE | D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | | | |
| | 1. M/4 | [REDACTED] 82 | 15 JUL 13 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | |
| | 2. | | | | <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | |
| | 3. | | | | <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | |
| | IF APPLIES, DATE ARRESTED/INDICTED | | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| | 1. | | | | | | | |
| 2. | | | | | | | | |
| 3. | | | | | | | | |
| COMPLAINANT | NAME | | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | [REDACTED] | | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | F/1 | [REDACTED] 90/24 |
| VICTIMS | NAME | | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | | | | | | | | |
| WITNESSES | NAME | | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | | | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

The complainant alleges that on 28 Feb 15, at approximately 1800 hrs, at the location of [REDACTED] W. Harrison, P.O. Anaya searched the back pockets of her pants after the complainant was already searched by a female officer. The complainant alleges P.O. Anaya was searching for a cell phone she never had.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

On 16 Mar 15, R/Sgt was assigned C.L. #1074056, to investigate the allegation of an improper search of the complainant [REDACTED] by P.O. Anaya #15639.

On 27 Mar 15, R/Sgt. interviewed the complainant (Attachment #6) at the location of [REDACTED] where the complainant signed a sworn affidavit (Attachment #2). The complainant alleged that P.O. Anaya searched the back pockets of her pants after the complainant was already searched by a female officer. The complainant stated the P.O. Anaya was searching for a cell phone she never had.

On 02 Apr 15, R/Sgt. requested P.O. Anaya report to the 011th District. On 02 Apr 15, at approximately 1800 hrs P.O. Anaya was served with Notification of Charges (Att #9), Waiver of Counsel/Request for Counsel (Att #10) and Administrative Proceedings Rights (Att #11). R/Sgt also requested that P.O. Anaya complete a To-From-Subject report addressing the allegation by the complainant (Att #8).

P.O. Anaya complied and submitted a report addressing the allegation (Att #12). P.O. Anaya stated on 28 FEB 15, P.O. Anaya and P.O. Carter had an on view arrest for obstructing identification and violation of bail bond. P.O. Anaya related that the complainant [REDACTED] provided the officers with a fake name of [REDACTED]. The officers along with Sgt. Barnett were able to positively ID [REDACTED] through leads. The complainant was then searched on scene by P.O. Pijanowski # 17631 (A female Officer) and this information was documented in the arrest report (Att #16). The complainant was then transported to the 011th District for processing where P.O. Anaya and P.O. Carter completed the necessary reports. P.O. Anaya stated that he never searched the complainant on scene or in the 011th District.

On 06 Apr 15, R/Sgt requested P.O. Carter to complete a To-From-Subject report addressing the allegation of an improper search by P.O. Anaya on 28 Feb 15 (Att #14). P.O. Carter complied and submitted a To-From-Subject Report (Att #15). P.O. Carter related similar information as P.O. Anaya and stated that while processing the arrest of [REDACTED] in the 011th District, P.O. Carter was with P.O. Anaya the entire time. P.O. Carter stated that P.O. Anaya never searched [REDACTED] prior to the search by P.O. Pijanowski or anytime after during processing at the station.

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:
12,15,16

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:
0

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:
DNA

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:
16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

Accused #1: Officer Pedro Anaya # 15639
Allegation: The complainant alleges that P.O. Anaya searched the complainant's back pockets after she had been previously searched by a female officer.
Findings: Not Sustained
Recommendation: No Disciplinary Action

DATE INITIATED (Date complaint was received for investigation)

16 MAR 15

DATE COMPLETED (Date of this report)

09 APR 15

ELAPSED TIME (Total time expressed in days)

23 days

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE: [REDACTED]

Evidence Listing of Attachments

1. Face Sheet
2. Sworn Affidavit
3. Notification Re: Half Sheet- Sgt. Slechter
4. Attempts to Contact
5. Certified Letter
6. Interview of Complainant
7. Notification Re: Half Sheet – P.O. Anaya
8. To-From Request from P.O. Anaya
9. Notification of Charges
10. Waiver of Counsel/Request to Secure Counsel
11. Administrative Proceedings
12. To-From – P.O. Anaya
13. Notification Re: Half Sheet – P.O. Carter
14. To-From Request from P.O. Carter
15. To-From – P.O. Carter
16. Arrest Report